



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

December 27, 2007

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

RE: **DOCKET NO. 341** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 Ashford Center Road, Ashford, Connecticut.

Dear Attorney Baldwin:

By its Decision and Order dated December 14, 2007, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 Ashford Center Road, Ashford, Connecticut.

Enclosed are the Council's Certificate, Findings of Fact, Opinion, and Decision and Order.

Very truly yours,

S. Derek Phelps
Executive Director

SDP/cm

Enclosures (4)

c: Sandy Carter, Regulatory Manager, Verizon Wireless



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

**CERTIFICATE
OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED
DOCKET NO. 341**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 Ashford Center Road, Ashford, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on December 14, 2007

By order of the Council,

December 14, 2007

Daniel F. Caruso, Chairman



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

December 27, 2007

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 341** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 Ashford Center Road, Ashford, Connecticut.

By its Decision and Order dated December 14, 2007, the Connecticut Siting Council granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 Ashford Center Road, Ashford, Connecticut.

Enclosed are the Council's Findings of Fact, Opinion, and Decision and Order.

SDP/cm

Enclosures (3)

c: Kenneth C. Baldwin, Esq., Robinson & Cole LLP
State Documents Librarian

DOCKET NO. 341 - Cellco Partnership d/b/a Verizon Wireless	}	Connecticut
application for a Certificate of Environmental Compatibility and	}	
Public Need for the construction, maintenance and operation of a	}	Siting
telecommunications facility located at 174 Ashford Center Road,	}	
Ashford, Connecticut.	}	Council

December 13, 2007

Findings of Fact

Introduction

1. Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (CGS), as amended, and Section 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (RCSA), Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) on May 8, 2007 for the construction, operation, and maintenance of a telecommunications facility to be located at 174 Ashford Center Road, in the Town of Ashford, Connecticut. (Cellco 1, p. 1)
2. Cellco is a Delaware Partnership with an administrative office located at 99 East River Drive, East Hartford, Connecticut. Cellco is licensed by the Federal Communications Commission (FCC) to operate a wireless telecommunications system in Connecticut. The operation of wireless telecommunications systems and related activities are Cellco's sole business in Connecticut. (Cellco 1, pp. 3-4)
3. The party in this proceeding is the applicant. (Transcript, September 27, 2007, 3:05 p.m. [Tr. 1], p. 4)
4. The purpose of the proposed facility would be to provide coverage along Routes 44 and 89, as well as local roads in the south central portion of the Town of Ashford. (Cellco 1, p. 1)
5. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on September 27, 2007, beginning at 3:05 p.m. and continuing at 7:00 p.m. in Ashford, Connecticut. (Tr. 1, p. 2 ff.)
6. The Council and its staff conducted an inspection of the proposed site on September 27, 2007, beginning at 2:00 p.m. The applicant flew a black balloon tethered at a height of 121 feet from 8:00 a.m. until 6:00 p.m. at the proposed site to simulate the height of the proposed tower. Weather conditions were conducive to a successful balloon flight and provided good visibility. (Tr. 1, p. 11)
7. Pursuant to CGS § 16-50l(b), notice of Cellco's intent to submit this application was published on June 4 and 5, 2007 in the Willimantic Chronicle. (Chronicle Affidavit of Publication dated June 8, 2007)

8. In accordance with CGS § 16-50/(b), Cellco sent notices of its intent to file an application with the Council to each person appearing of record as owner of property abutting the property on which the site is located. (Cellco 1, p. 5; Attachment 4)
9. Cellco received return receipts from all of the property owners to whom notice was sent. (Cellco 4, Response 7)
10. Pursuant to CGS § 16-50/ (b), Cellco provided notice to all federal, state and local officials and agencies listed therein. (Cellco 1, p. 5; Attachment 2)
11. Cellco posted a sign on the host property informing the general public of its pending application and hearing. The sign was installed on September 11, 2007 next to the easterly driveway on the property. (Tr. 1, p. 12)

State Agency Comment

12. Pursuant to CGS § 16-50/, the Council solicited comments on Cellco's application from the following state departments and agencies: Department of Environmental Protection, Department of Public Health, Council on Environmental Quality, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, and the Department of Transportation. The Council's letters requesting comments were sent on September 5 and October 1, 2007. (CSC Hearing Package dated September 5, 2007; CSC Letter to State Department Heads dated October 1, 2007)
13. The Connecticut Department of Transportation (ConnDOT) responded to the Council's solicitation with no comments. (ConnDOT Letter dated September 18, 2007)
14. The Connecticut Department of Public Health (DPH) responded to the Council's solicitation with the observation that the proposed facility is within the Willimantic Reservoir Watershed Area of the Mansfield Hollow Reservoir for the Windham Water Works. DPH recommended that Cellco contact the Windham Water Works prior to construction and follow Best Management Practices during construction. (DPH Memorandum dated October 2, 2007)
15. Except for ConnDOT and DPH, the Council did not receive comments from any state agency in response to its solicitation. (Record)

Municipal Consultation

16. Cellco representatives met with Town of Ashford First Selectman Ralph Fletcher on March 2, 2007. At this meeting, Cellco gave First Selectman Fletcher copies of technical information summarizing the company's plans for its telecommunications facility proposed on Ashford Center Road. (Cellco 1, p. 19)
17. The Town of Ashford would like to place two antennas on a single mast at the top of Cellco's tower. It would need a 4-foot by 4-foot area for its ground equipment. (Letter from Ashford First Selectman dated September 10, 2007)

18. Cellco would make space available to the Town at no charge. (Cellco 4, Response 19)

Public Need for Service

19. In its Report and Order issued May 4, 1981 in Federal Communications Commission (FCC) Docket No. 79-318, the FCC recognized the public need for technical improvement, wide-area coverage, high quality service and a degree of competition in mobile telephone service. (Cellco 1, p. 5)
20. The federal Telecommunications Act of 1996 (Act) recognized a nationwide public need for high-quality wireless telecommunication services. The Act also promoted competition among wireless service providers, tried to foster lower prices for consumers, and encouraged the rapid deployment of new telecommunications technologies. (Cellco 1, p. 6)
21. Cellco's proposed Ashford facility would be part of its expanding wireless telecommunications network envisioned by the Act. (Cellco 1, p. 6)
22. In issuing cellular licenses, the federal government has preempted the determination of public need for cellular service by the states and municipalities with respect to public need for the service to be provided by a proposed facility. The FCC has established design standards for wireless systems to ensure technical integrity and nationwide compatibility among all systems. (Cellco 1, p. 6)
23. The Telecommunications Act of 1996 prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice, Telecommunications Act of 1996)
24. The Telecommunications Act of 1996, a federal law passed by the United States Congress, prohibits any state or local entity from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. This Act also blocks the Council from prohibiting or acting with the effect of prohibiting the provision of personal wireless service. (Council Administrative Notice Item No. 7)
25. The Wireless Communications and Public Safety Act of 1999 (E911 Act) was enacted by Congress to promote and enhance public safety by making 9-1-1 the universal emergency assistance number, by furthering deployment of wireless 9-1-1 capabilities, and by encouraging construction and operation of seamless ubiquitous and reliable networks for wireless services. (Cellco 4, Response 2)
26. Cellco's antennas at the proposed location would comply with the requirements of the E911 Act. (Cellco 4, Response 3)

Site Selection

27. Cellco issued its Ashford North search ring in August 2005. The ring had a diameter of approximately 0.75 miles and was centered generally near the Ward Cemetery and the Boy Scouts of America camp. (Cellco 4, Response 16)
28. Within its search ring area, Cellco did not find any suitable existing structures that could be successfully used to locate its proposed facility. (Cellco 1, p. 10)
29. Cellco maintains three existing communications facilities within a four mile radius of its proposed site. These facilities are identified in the table below:

Facility Location	Owner/Operator	Facility Type	Cellco Antenna Ht.
99 Knowlton Road, Ashford	National Grid Wireless	150' monopole	127 feet
20 Seles Road, Ashford	Raymond Baker	190' guyed lattice	190 feet
353 Pumpkin Hill Road, Ashford	Charter Communications	300' guyed lattice	240 feet

(Cellco 1, Attachment 8)

30. None of the Cellco facilities identified above would enable Cellco to provide the coverage or capacity relief needed in its identified problem areas. (Cellco 1, Attachment 8)
31. Cellco identified and investigated four potential sites for its proposed facility. These sites and the determinations of their suitability are described below.
- a. Midway Restaurant: This is a two-acre site located on the south side of Route 44 and is the site of Cellco's proposed facility.
 - b. June Norcross Webster Scout Reservation: This is an approximately 55-acre parcel located on the north side of Route 44, north of the Midway Restaurant parcel. Repeated phone calls to the owners of this parcel were never returned.
 - c. National Grid Wireless Facility: This is an existing tower located at 229-31 Ashford Center Road (approved in Council Docket 239). Antennas at the highest available location on this tower (157 feet) would not be able to achieve Cellco's coverage objectives.
 - d. James Whitehouse Property: This is an approximately 17-acre parcel located at 177 Ashford Center Road. This site was rejected because of a large wetland area on the property.

(Cellco 1, Attachment 8)

32. Cellco maintains that there are no technological alternatives that would be equally effective as its proposed facility in providing coverage to its target area. (Cellco 1, p. 9)

Site Description

33. Cellco's proposed site would be located at 174 Ashford Center Road on a 1.96-acre parcel owned by P&G Realty, LLC. The Midway Restaurant is located on this parcel. (Cellco 1, pp. i, 17)
34. This property is zoned Commercial. Wireless telecommunication sites are allowed in Commercial districts with a Special Permit approval. (Cellco 1, p. 2; Town of Ashford Zoning Regulations, bulk filed)
35. At this location, Cellco would erect a 120-foot steel monopole tower within a 70-foot by 70-foot fenced compound. The size of Cellco's lease area would be 100 feet by 100 feet. Cellco would install twelve panel-type antennas (six cellular antennas and six PCS antennas) on a low-profile triangular platform (four antennas per sector) at a centerline height of 120 feet. The antennas would extend three feet above the top of the tower to an overall height of 123 feet above ground level (AGL). Cellco's ground equipment and a back-up generator would be installed within a 12-foot by 30-foot shelter. (Cellco 1, p. 2; Attachment 1, Drawing S-4)
36. Cellco's equipment shelter would be architecturally treated with siding and a peaked roof to make it more aesthetically compatible with the restaurant building that is on the same property. (Tr. 1, p. 19)
37. Cellco would screen its proposed facility by planting a variety of trees around its fenced compound. (Cellco 1, Attachment 1, Drawing S-3A; Tr. 1, p. 19)
38. The proposed tower would be located at 41° 52' 5.77" North latitude and 72° 8' 45.04" West longitude. Its ground elevation would be 588 feet above mean sea level. (Cellco 1, Attachment 1, Drawing T-1)
39. Cellco's equipment compound would be enclosed by an eight-foot chain link fence topped with three strands of barbed wire. (Cellco 1, Attachment 1, Drawing S-6)
40. Cellco's tower would be designed in accordance with the specifications of the Electronic Industries Association Standard EIA/TIA-222-F-96 "Structural Standards for Steel Antenna Towers and Antenna Support Structures." (Cellco 1, Attachment 1, p. 6)
41. The tower would be designed to accommodate four wireless carriers and Town of Ashford public safety antennas. (Cellco 4, Response 15)
42. The tower would be designed to be expandable. (Tr. 1, p. 27)
43. Approximately 18 cubic yards of cut and 130 cubic yards of fill would be required to develop the proposed site. (Cellco 4, Response 13)
44. Cellco does not anticipate any blasting would be required to develop this site. (Cellco 4, Response 18)

45. Vehicular access to the facility would be over the Midway Restaurant's existing parking area and then over a new gravel access drive of an approximate length of 77 feet. Total distance from Route 44 to the facility would be approximately 270 feet. (Cellco 1, p. 2; Attachment 1, Drawing S-3)
46. Utility service for the facility would be extended underground from an existing utility pole on Route 44. The utilities would be routed within a utility easement east of the restaurant. (Cellco 1, Attachment 1, Drawing S-1)
47. The tower's setback radius would encroach approximately 100 feet onto the adjacent property to the west. (Cellco 1, Attachment 1, Drawing S-1)
48. The nearest property boundary from the proposed tower location is approximately 20 feet to the west. The adjacent property is owned by P&G Realty, LLC, the owner of the Midway Restaurant property. (Cellco 1, Attachment 1, Drawing S-2)
49. There are three single family residences within 1,000 feet of the proposed facility. One of the buildings in the Birch Hill apartment complex located to the northeast of the site is also within 1,000 feet of the facility. (Cellco 1, p. 13)
50. The nearest residence is located approximately 418 feet to the east of the proposed facility. It is owned by Michael L. Gardner. (Cellco 4, Response 21; Tr. 1, p. 9)
51. Land use in the surrounding vicinity consists of a mixture of scattered residential and business uses. There is an automotive repair business to the north of Cellco's site, and a commercial/retail center is planned to the west of the site. (Cellco 1, p. 17)
52. The estimated cost of the facility is:

Cell site radio equipment	\$450,000
Tower, coax, and antennas costs	150,000
Power systems costs	20,000
Equipment building costs	50,000
Miscellaneous costs (include site prep)	75,000
Total	\$745,000

(Cellco 1, p. 21)

Environmental Considerations

53. Cellco's proposed facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (Cellco 1, Attachment 10 - Letter from Deputy State Historic Preservation Officer dated March 14, 2007)
54. There are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species that occur at the proposed site. (Cellco 5 - Letter from DEP dated September 18, 2007)

55. No trees with a diameter of six inches or greater at breast height would be removed to develop the proposed facility at this site. (Cellco 4, Response 12)
56. The closest wetland area to the proposed facility is located approximately 250 feet to the northwest on an adjacent parcel. (Cellco 1, p. 18; Attachment 11)
57. Cellco would establish and maintain erosion and sedimentation control measures consistent with the Connecticut Soil Erosion Control Guidelines established by the Council for Soil and Water Conservation throughout the construction period for this facility. (Cellco 1, p. 18)
58. Cellco's ground equipment would include a 210-gallon diesel fuel tank for its diesel generator. The generator and fuel tank would be installed in a segregated 10-foot by 12-foot room within the equipment shelter. The fuel tank would have a double wall with leak detection. The floor of the generator room would have a built-in recess capable of containing 120% of all generator fluids. (Cellco 1, pp. 3, 16)
59. Cellco contracts with Clean Harbors Environmental Service to respond to any spills at its cell sites within six hours of an event. (Cellco 1, p. 16)
60. An air-space analysis conducted by Cellco, pursuant to FAA standards, indicated that its proposed tower would not constitute an obstruction or hazard to air navigation and would not require obstruction marking or lighting. (Cellco 1, p. 19; Attachment 12)
61. According to calculations performed by Cellco, the maximum power density from the radio frequency emissions of Cellco's proposed antennas would be 11.34% of the standard for Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) that assumes all antennas would be pointed at the base of the tower and all channels would be operating simultaneously. (Cellco 1, p. 15)

Visibility

62. The proposed tower would be visible year round from approximately 12 acres. These 12 acres are confined to the immediate vicinity of Cellco's facility and an area extending approximately 0.10 mile to the north and northeast along select portions of Route 44. (Cellco 1, Attachment 9, p. 4)
63. Visibility of the tower would be limited by topography and extensive vegetative cover in the surrounding area. (Cellco 1, Attachment 9, p. 4)
64. Cellco's tower would be seasonally visible from approximately an additional 16 acres. The views would be limited to the near proximity of the facility, generally within a distance of 0.25 mile. (Cellco 1, Attachment 9, pp. 4-5)
65. Three nearby residential properties would have partial year-round views of the proposed tower. (Cellco 1, Attachment 9, p. 4)

66. Three additional residences could have seasonal views of the tower from portions of their properties. (Cellco 1, Attachment 9, p. 5)
67. The visibility of the proposed site from different vantage points in the surrounding vicinity is summarized in the following table. The locations of the vantage points listed are identified by their corresponding number in the Visual Resource Evaluation Report contained in Attachment 9 of Cellco's application.

<u>Location</u>	<u>Site Visible</u>	<u>Approx. Portion of (120') Tower Visible (ft.)</u>	<u>Approx. Distance and Direction to Tower</u>
1 – 84 Ashford Center Road	Yes	Upper 100'	500 feet; SW
2 – Ashford Center Road, east of Ward Cemetery	Seasonal	Upper 60'	840 feet; SW
3 – 149 Ashford Center Road, entrance to Birch Hill Apartments	Yes	Upper 100'	530 feet; SE

(Cellco 1, Attachment 9 – Photographic Simulations)

68. The tower would have some year-round and seasonal visibility at the nearest corner of the Boy Scout Reservation on the north side of Route 44. (Cellco 1, Attachment 9, Viewshed Map)

Existing and Proposed Wireless Coverage

69. Cellco holds an FCC license to provide wireless service at both cellular and PCS frequencies in Windham County. (Cellco 1, p. 7)
70. Its licensed frequencies are 869 – 880 MHz in the cellular range and 1970 – 1975 in the PCS F Block. (Cellco 4, Response 1)
71. Cellco designs its wireless network for a signal strength of -85 dBm for in-vehicle coverage. For in-building coverage, its design signal strength is -75 dBm. (Cellco 4, Response 8; Tr. 1, pp. 12-13)
72. Cellco's existing signal strength in the vicinity of the proposed facility ranges from -85 dBm to -105 dBm at cellular frequencies and -91 dBm to -106 dBm frequencies. Cellco used baseline drive data to make this determination. (Cellco 4, Response 9)
73. Cellco experiences a 0.61 mile gap along Route 44 and a 0.75 mile gap along Route 89 at cellular frequencies. At its PCS frequencies, Cellco experiences a 2.55 mile gap along Route 44. It has no PCS coverage along Route 89 north of Route 44. (Cellco 4, Response 11)
74. From the proposed facility, Cellco's cellular antennas would provide coverage to a 3.52 mile portion of Route 44 and a 2.35 mile portion of Route 89. Its PCS antennas would cover approximately 3 miles on Route 44 and 1.9 miles on Route 89. (Cellco 1, p. 10)

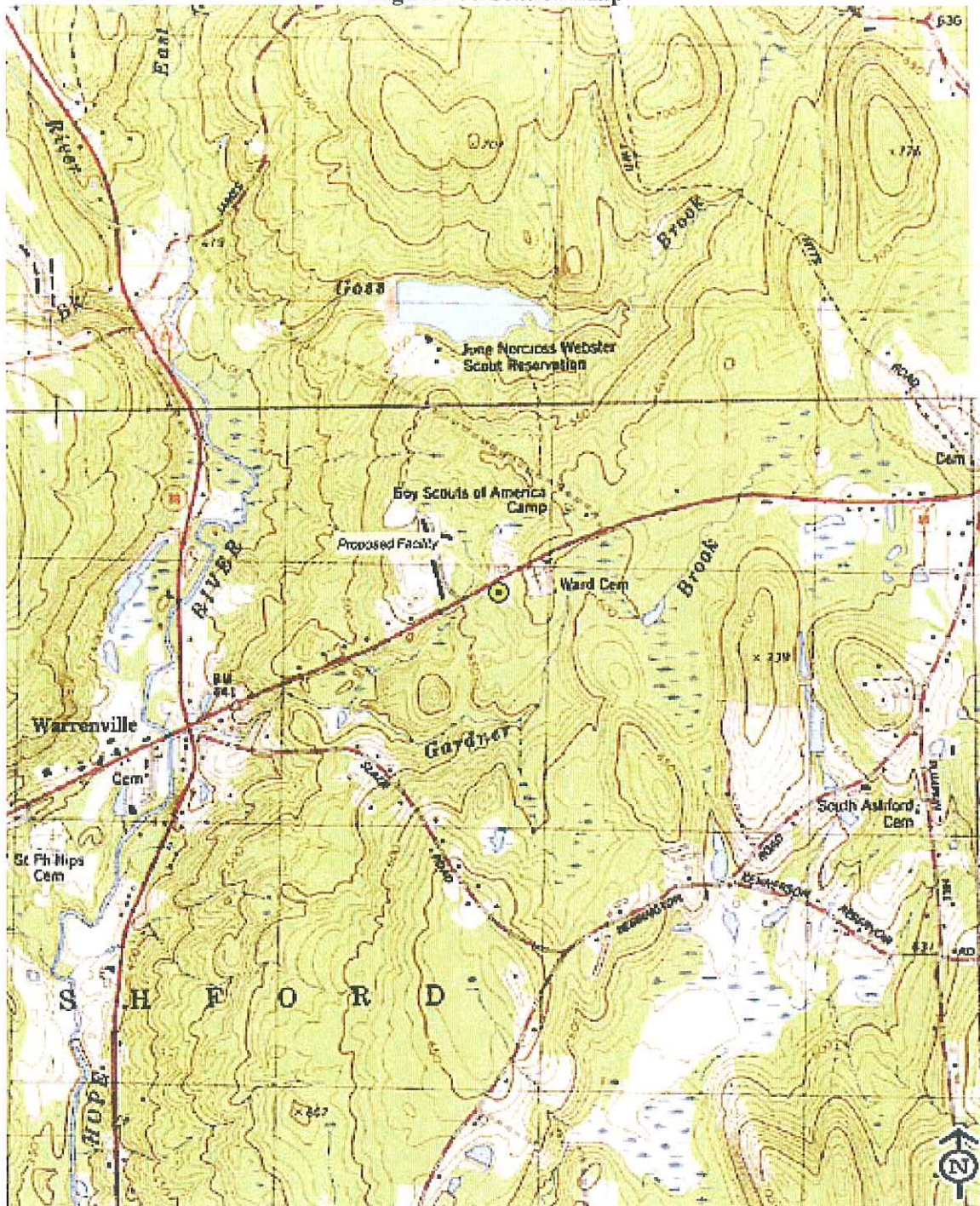
75. Adjacent Cellco facilities that would interact with the proposed facility are as follows:

Location	Antenna Height agl	Approximate Distance from Sites
20 Seles Road, Ashford	190 feet on 190-foot guyed lattice tower	2.0 miles to west
353 Pumpkin Hill Road, Ashford	240 feet on 300-foot guyed lattice tower	1.9 miles to south

(Cellco 4, Response 4)

76. From the proposed facility, Cellco's cellular antennas would cover a total area of approximately 8.9 square miles. Its PCS antennas would cover a total area of approximately 4.1 square miles. (Cellco 1, p. 10)

Figure 1: Location Map



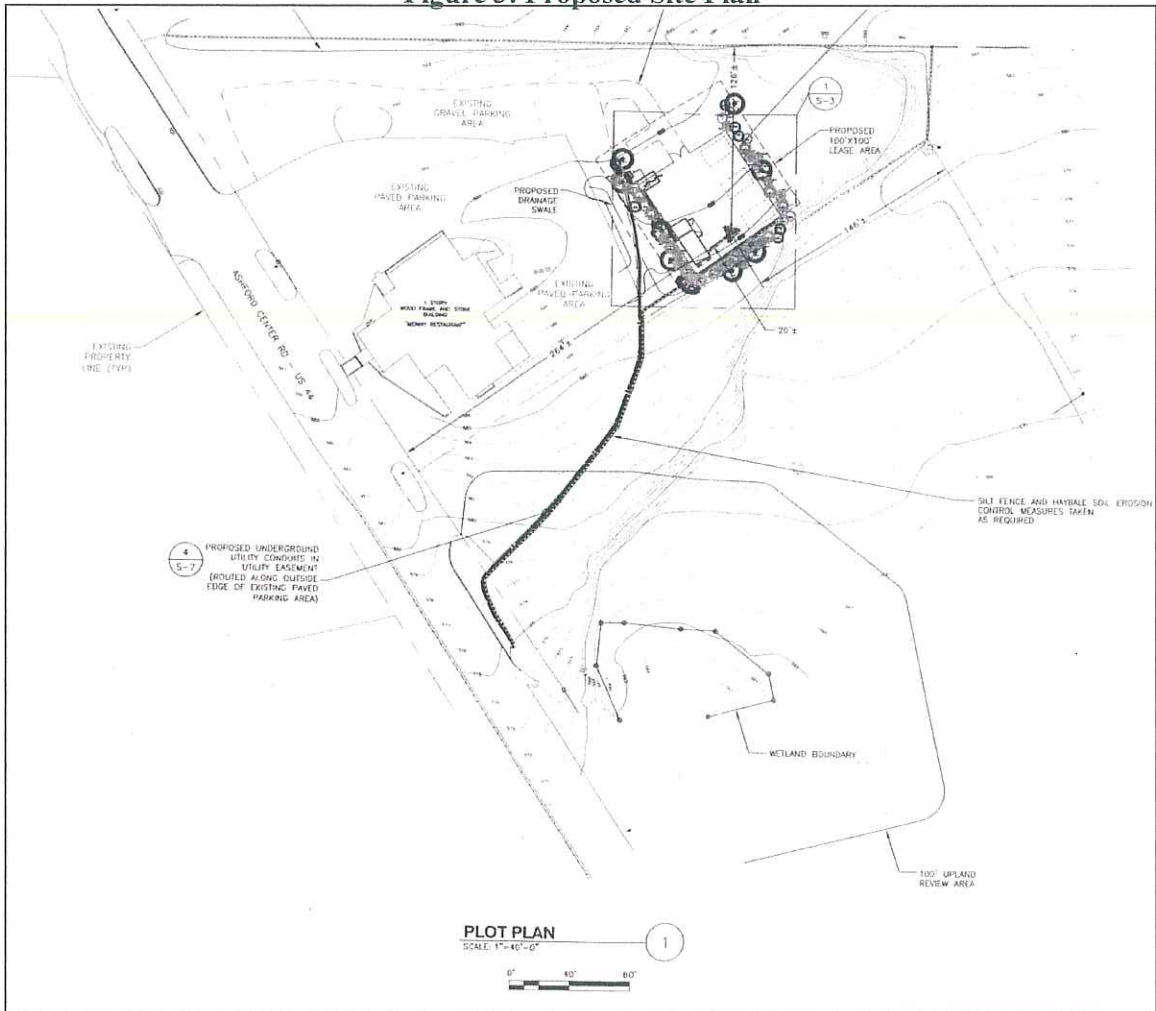
(Cellco 1, p. ii)

Figure 2: Aerial Photograph of Site Area



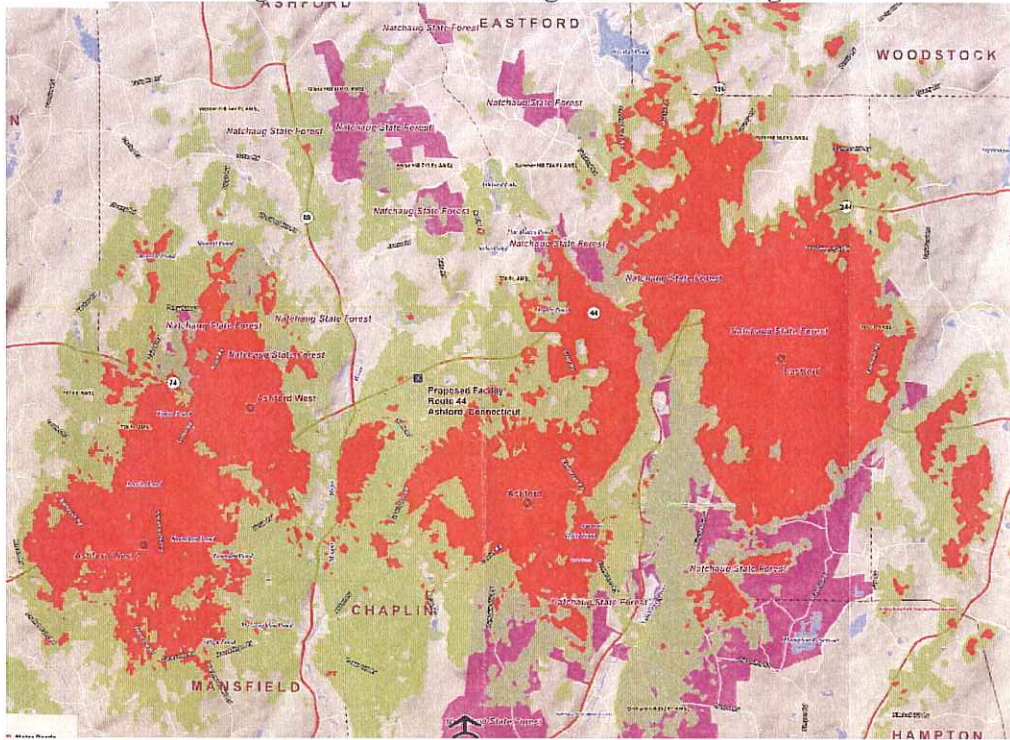
(Cellco 1, p. iii)

Figure 3: Proposed Site Plan



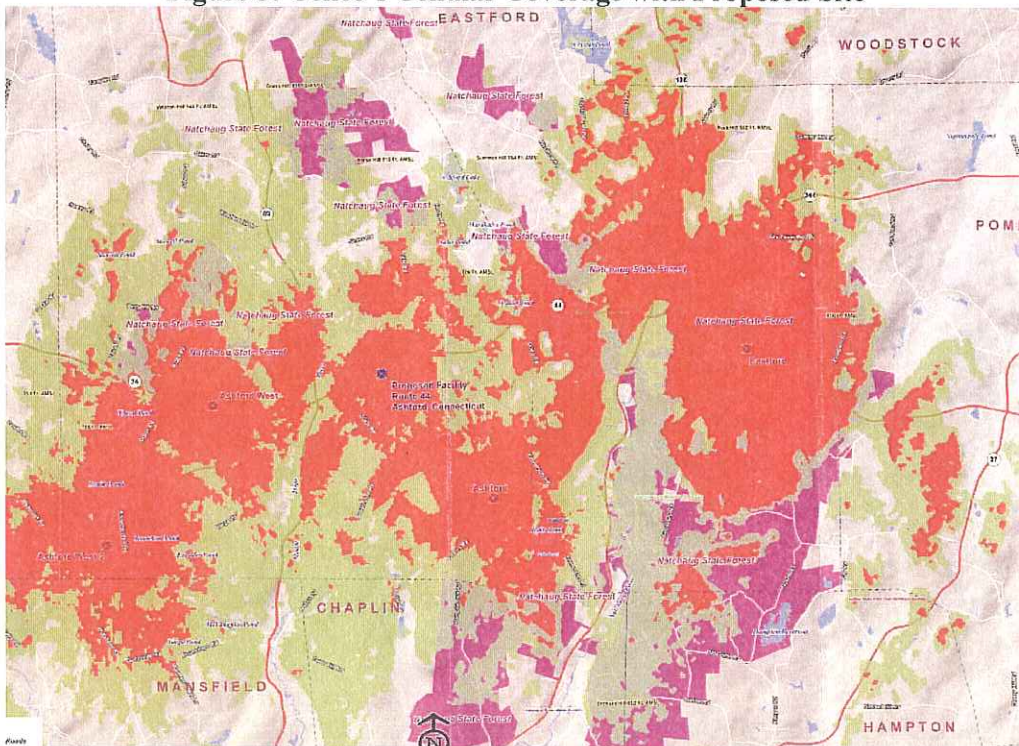
(Cellco 1, Attachment 1, Drawing S-1)

Figure 4: Cellco's Existing Cellular Coverage



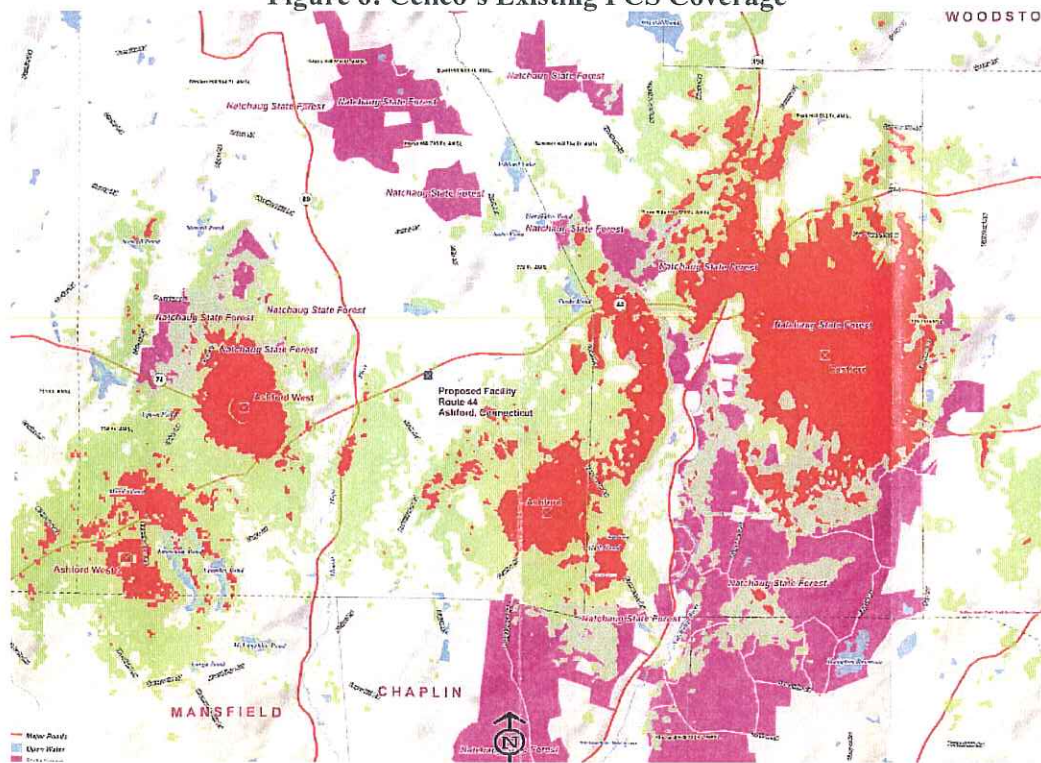
(Cellco 1, Attachment 6)

Figure 5: Cellco's Cellular Coverage with Proposed Site



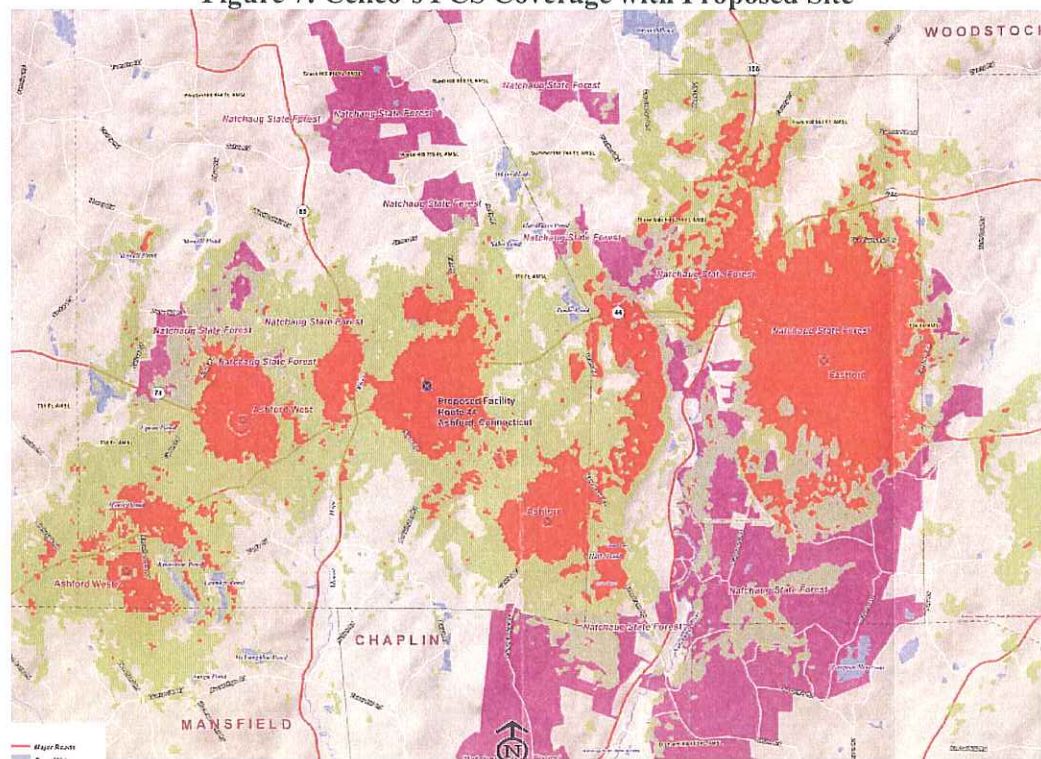
(Cellco 1, Attachment 6)

Figure 6: Cellco's Existing PCS Coverage



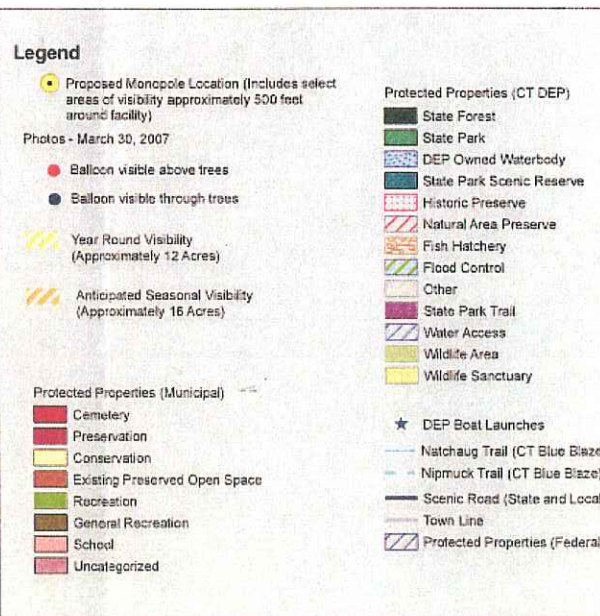
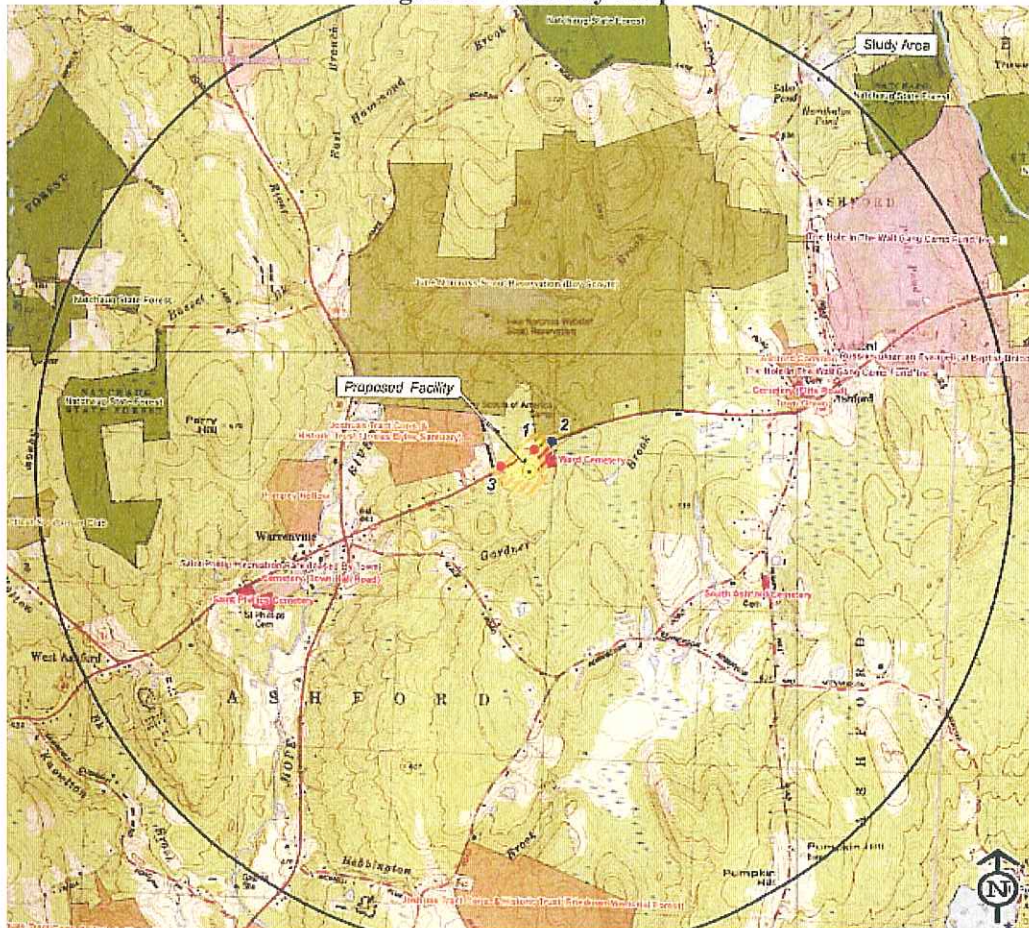
(Cellco 1, Attachment 6)

Figure 7: Cellco's PCS Coverage with Proposed Site



(Cellco Attachment 6)

Figure 8: Visibility Map



(Cellco 1, Attachment 9)

DOCKET NO. 341 - Cellco Partnership d/b/a Verizon Wireless	}	Connecticut
application for a Certificate of Environmental Compatibility and	}	
Public Need for the construction, maintenance and operation of a	}	Siting
telecommunications facility located at 174 Ashford Center Road,	}	
Ashford, Connecticut.	}	Council

December 13, 2007

Opinion

On June 14, 2007, Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) for the issuance of a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility at 174 Ashford Center Road (Route 44) in Ashford, Connecticut. The applicant seeks to develop a facility on a 1.96-acre parcel owned by P&G Realty, LLC. The Midway Restaurant is located on this parcel. Cellco's facility would be to the rear of the restaurant. This location would enable Cellco to provide coverage along Routes 44 and 89, as well as local roads in the south central portion of the Town of Ashford.

Cellco would lease a 100-foot by 100-foot parcel to erect a 120-foot monopole tower within a 70-foot by 70-foot fenced compound. The tower would be designed to accommodate three additional wireless carriers and Town of Ashford public safety antennas. The tower would be expandable as well. Access to the facility would be over existing driveways and parking areas for the Midway Restaurant and a 77-foot gravel drive that would be installed. Public utilities would be extended from Route 44 and would cross an adjacent property also owned by P&G Realty. Cellco would screen its fenced equipment compound with a variety of evergreen and deciduous trees. Its equipment shelter would be given an architectural treatment with siding and a peaked roof.

The proposed facility is located in an area that is cleared and that has been previously disturbed. Construction of the facility would not require the cutting of any trees. There are no wetlands closer than 250 feet to the site.

The tower's setback radius would encroach approximately 100 feet onto the adjacent property to the west that is owned by P&G Realty.

The tower would be visible on a year-round basis from approximately 12 acres in the surrounding vicinity. Visibility of the tower would be limited by topography and extensive vegetative cover in the surrounding area. The tower would be seasonally visible from an estimated, additional 16 acres. Three nearby residences would have year-round views of the tower, and an additional three residences could have seasonal views of the tower.

There are no species listed as endangered or threatened occurring in the vicinity of the proposed facility.

The proposed facility would have no detrimental effect on the state's historic, architectural, or archaeological resources.

Cellco would provide both cellular (in the 869 to 880 MHz range) and PCS (in the 1970 to 1975 MHz range) coverage from the proposed site. The proposed site would enable Cellco to close a 0.61 mile coverage gap on Route 44 and a 0.75 mile gap on Route 89 at cellular frequencies. At PCS frequencies, Cellco would cover an existing 2.55 mile coverage gap along Route 44. It would also cover approximately 1.9 miles on Route 89.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined radio frequency power density levels of the antennas proposed to be installed on the tower have been calculated to amount to 11.34% of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions.

Although the proposed facility is located in a rural area, the property on which it is located is zoned for commercial uses; and wireless telecommunications facilities are allowed with special permit approvals. Because of the coverage Cellco would achieve from this location and because the property is zoned for commercial use, the Council finds that a wireless telecommunications facility would be appropriate for this location.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the proposed telecommunications facility, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, operation, and maintenance of a telecommunications facility, which would include a 120-foot monopole tower, at the proposed site at 174 Ashford Center Road in Ashford, Connecticut.

DOCKET NO. 341 - Cellco Partnership d/b/a Verizon Wireless	}	Connecticut
application for a Certificate of Environmental Compatibility and	}	
Public Need for the construction, maintenance and operation of a	}	Siting
telecommunications facility located at 174 Ashford Center Road,	}	
Ashford, Connecticut.	}	Council

December 13, 2007

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a wireless telecommunications facility to be located at 174 Ashford Center Road in Ashford, Connecticut.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be designed and constructed as a monopole no taller than 120 feet above ground level to provide telecommunications services to both public and private entities. Said tower may be designed and constructed in such a manner that it could be expandable in the future.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Ashford and all parties and intervenors, as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antenna mountings, equipment building, access road, and utility line;
 - b) construction plans for site clearing, water drainage, and erosion and sedimentation control consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended; and
 - c) a landscaping plan.

3. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council in the event other carriers locate at this facility or if circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
4. Upon the establishment of any new state or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
5. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
6. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Ashford public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
7. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed and providing wireless services within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating this deadline.
8. Any request for extension of the time period referred to in Condition 7 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Ashford. Any proposed modifications to this Decision and Order shall likewise be so served.
9. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
10. The Certificate Holder shall remove any nonfunctioning antenna, and associated antenna mounting equipment, within 60 days of the date the antenna ceased to function.

11. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of site operation.

Pursuant to General Statutes § 16-50p, we hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in The Willimantic Chronicle.

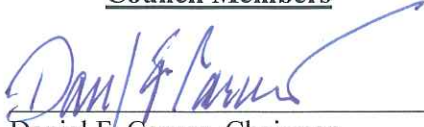
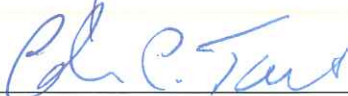
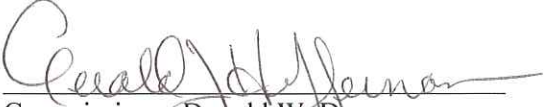
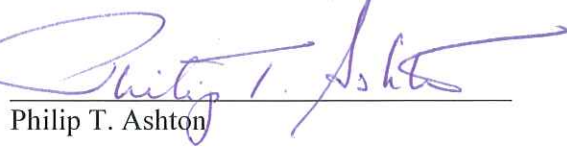
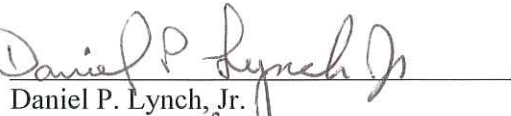
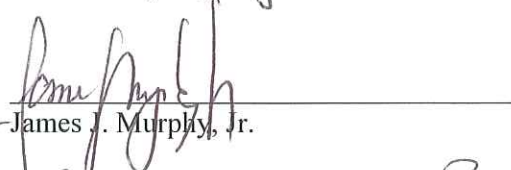
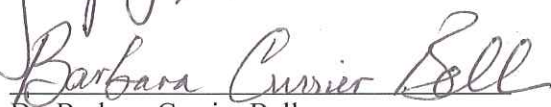
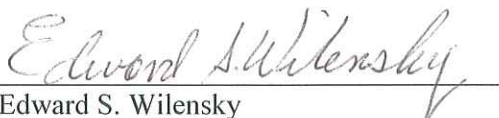
By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors in this proceeding are:

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com Sandy Carter, Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108 (860) 803-8219 alexandria.carter@verizonwireless.com

CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 341** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 Ashford Center Road, Ashford, Connecticut, and voted as follows to approve the proposed site, located at 174 Ashford Center Road, Ashford, Connecticut.

<u>Council Members</u>	<u>Vote Cast</u>
 Daniel F. Caruso, Chairman	Yes
 Colin C. Tait, Vice Chairman	Abstain
 Commissioner Donald W. Downes Designee: Gerald J. Heffernan	Yes
 Commissioner Gina McCarthy Designee: Brian J. Emerick	Absent
 Philip T. Ashton	Yes
 Daniel P. Lynch, Jr.	Yes
 James J. Murphy, Jr.	Yes
 Dr. Barbara Currier Bell	Abstain
 Edward S. Wilensky	Yes

Dated at New Britain, Connecticut, December 14, 2007.

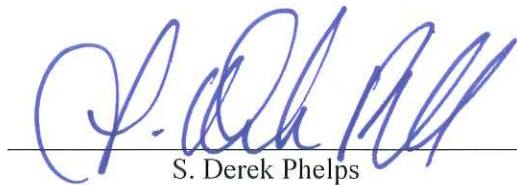
STATE OF CONNECTICUT)

ss. New Britain, Connecticut :

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:

A handwritten signature in blue ink, appearing to read "S. Derek Phelps", is written over a horizontal line.

S. Derek Phelps
Executive Director
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 341 has been forwarded by Certified First Class Return Receipt Requested mail on December 27, 2007, to all parties and intervenors of record as listed on the attached service list, dated June 15, 2007.

ATTEST:

A handwritten signature in blue ink, appearing to read "Carriann Mulcahy", is written over a horizontal line.

Carriann Mulcahy
Secretary
Connecticut Siting Council

Date: June 15, 2007

Docket No. 341

Page 1 of 1

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Cellco Partnership d/b/a Verizon Wireless	Sandy Carter, Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108 Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax Kbaldwin@rc.com



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

December 27, 2007

TO: Classified/Legal Supervisor

341070820

The Chronicle

Chronicle Printing Co.

One Chronicle Road

Willimantic, CT 06226

FROM: Carriann Mulcahy, Secretary

RE: **DOCKET NO. 341** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 Ashford Center Road, Ashford, Connecticut.

Please publish the attached notice as soon as possible, but not on Saturday, Sunday, or a holiday.

Please send an affidavit of publication and invoice to my attention.

Thank you.

CM



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

NOTICE

Pursuant to General Statutes § 16-50p (d), the Connecticut Siting Council (Council) announces that, on December 14, 2007, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 Ashford Center Road, Ashford, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut